

# **EXHIBIT F**

1 IN THE UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION

4 \_\_\_\_\_ )  
5 ORACLE CORPORATION, a )  
6 Delaware corporation, ORACLE )  
7 USA, INC., A Colorado )  
8 Corporation, and ORACLE )  
9 INTERNATIONAL CORPORATION, )  
10 A California corporation )  
11 )  
12 Plaintiffs, )  
13 )  
14 Vs. ) Case No.  
15 ) 07-CV-01685  
16 ) PJH (EDL)  
17 SAP AG, a German corporation, )  
18 SAP AMERICA, INC., a Delaware )  
19 Corporation, TOMORROWNOW, )  
20 INC., a Texas corporation, )  
21 And DOES 1-50, inclusive, )  
22 )  
23 Defendant. )  
24 \_\_\_\_\_ )

25 VIDEOTAPED DEPOSITION UPON  
1 ORAL EXAMINATION  
2 OF  
3 LEO APOTHEKER

4 Taken on:

5 Thursday, October 2, 2008  
6 Commencing at 8:58 a.m.

7 Taken at:

8 American Consulate General  
9 Special Consular Services,  
10 Giessener Strasse 30  
11 60435 Frankfurt am Main, Germany

12  
13  
14  
15 REPORTED BY: FREDERICK WEISS, CSR, CM

10           Q.       Is Oracle a focus of SAP's  
11       competitive work in the field?

12           A.       As much as they are a competitor,  
13       yes.

14           Q.       Are they SAP's number one  
15       competitor?

16           A.       They are our largest competitor,  
17       yes.

18           Q.       SAP is the market leader, though.  
19                   True?

20           A.       True.

21           Q.       And in what areas -- what makes SAP  
22       the market leader?

23           A.       Our market share.

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1                   I, Leo Apotheker, am a deponent in the  
2 foregoing video deposition. I have read the  
3 foregoing video deposition, and having made such  
4 changes and corrections as I desired, I certify  
5 that the transcript is a true and accurate record  
6 of my responses to the questions put to me on  
7 Thursday, October 2, 2008.

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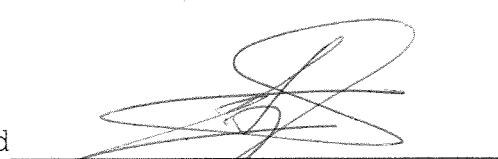
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25

Signed

  
\_\_\_\_\_  
LEO APOTHEKER

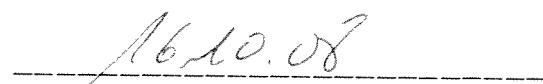
1 CERTIFICATE OF COURT REPORTER  
2

3 I, Frederick Weiss, CSR, CM, do hereby  
4 certify that I took the stenotype notes of the  
5 foregoing deposition and that the transcript  
6 thereof is a true and accurate record transcribed  
7 to the best of my skill and ability.

8 I further certify that I am neither  
9 counsel for, related to, nor employed by any of  
10 the parties to the action in which this deposition  
11 was taken, and that I am not a relative or  
12 employee of any attorney or counsel employed by  
13 the parties hereto, nor financially or otherwise  
interested in the outcome of the action.

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21 FREDERICK WEISS, CSR, CM  
22  
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24   
25 DATE